

BRAZIL

a. SUMMARY OF CLAIMS

| TYPE | DATE | SOURCE | LIMITS | NOTES |
|--|--------|-----------------------|----------|---|
| I. TERRITORIAL SEA | Jun 40 | Decree-Law No. 5798 | 3nm | |
| | Aug 54 | Decree No. 35,844 | | Permission required for more than three warships of same flag in territorial sea and ports at one time. |
| | | | | This requirement is not recognized by the U.S. |
| | Nov 66 | Decree-Law No. 44 | 6nm | |
| | Apr 69 | Decree-Law No. 553 | 12nm | |
| | Mar 70 | Decree-Law No. 1098 | 200nm | Enabling legislation for security regulations affecting warships and other public vessels. |
| | | | | This claim is not recognized by the U.S. U.S. protested claim in 1970. |
| | Jan 93 | Public Law No. 8,617 | 12nm | |
| II. ARCHIPELAGIC, STRAIGHT BASELINES, & HISTORIC CLAIMS | Apr 69 | Decree-Law No. 553 | | Enabling legislation for straight baselines closing bays, creeks, other inlets. |
| | Mar 70 | Decree-Law No. 1098 | | Enabling legislation for straight baseline system. |
| | Jan 93 | Public Law No. 8617 | | 1982 LOS Convention, Art. 7 straight baseline criteria cited. |
| III. CONTIGUOUS ZONE | Jan 93 | Public Law No. 8617 | 24nm | |
| IV. CONTINENTAL SHELF | Jan 41 | Decree-Law No. 6743 | | |
| | Nov 50 | Decree-Law No. 28,840 | | Continental shelf placed "under the exclusive jurisdiction and dominion of the Federal Union." |
| | Jun 68 | Decree-Law No. 62,837 | 1958 DEF | Defined in context of research. |
| | Jan 93 | Public Law No. 8,617 | | Limits to be fixed in accordance with Art 76 of the 1982 LOS Convention. |
| V. FISHING ZONE/EEZ | Oct 38 | Decree-Law No. 794 | 12nm | Fishing zone. |
| | Nov 66 | Decree-Law No. 44 | 12nm | Fishing zone. |
| | Mar 70 | Decree-Law No. 1098 | 200nm | Territorial sea; enabling legislation for fishing zone. |
| | Apr 71 | Decree-Law No. 68,459 | 200nm | Regulated foreign fishing in outer zone. |

| TYPE | DATE | SOURCE | LIMITS | NOTES |
|-------------------------------------|--------|-------------------|--------|--|
| V. FISHING ZONE/EEZ (Cont.) | Jan 93 | Public Law 8,617 | 200nm | EEZ. Advanced permission required for scientific research. |
| | Dec 82 | Declaration | | See note below re: EEZ declaration accompanying the signing of the 1982 LOS Convention. |
| VI. ENVIRONMENTAL REGULATION | Nov 67 | Decree-Law No. 44 | 12nm | |
| VII. MARITIME BOUNDARIES | Jun 75 | Agreement | | Maritime boundary agreement with Uruguay EIF. |
| | Jan 81 | Agreement | | Maritime boundary agreement with France (Fr. Guiana) EIF. |
| | May 96 | Agreement | | Maritime Agreement with U.S. signed. |
| VIII. LOS CONVENTION | Dec 82 | | | Signed, with a declaration that the Convention does not authorize States to conduct military exercises in the EEZ of another state without consent; that the coastal state has exclusive rights to regulate the construction and use of installations and structures within the EEZ and on the continental shelf (presumably regardless of purpose); and that the prohibition of article 301 against the threat or use of force applies to maritime areas under the jurisdiction of the coastal state. |
| | Dec 88 | | | Ratified, with a declaration that vessels beyond the limits of the territorial sea, but within the EEZ, could not be boarded, searched and seized if suspected of engaging in illicit narcotics traffic without authorization of the coastal State; and that military exercises or maneuvers are prohibited in the EEZ without consent. The 1982 and 1988 declarations are not recognized by the U.S. U.S. protested declarations in 1983 and 1988. |
| | Jul 94 | Signed | | Part XI Agreement subject to ratification. |

c. MARITIME BOUNDARIES

1. AGREEMENT: BRAZIL-URUGUAY

The following excerpts from an agreement between the governments of the Federative Republic of Brazil and the Oriental Republic of Uruguay, as well as the analysis which follows, are extracted from Limits in the Seas, No. 73, "Maritime Boundary: Brazil-Uruguay," September 30, 1976:

A. TEXT

The location of the mouth of Chuy Stream shall be fixed at the point defined by the intersection of the line running from the present Chuy light in a direction nearly perpendicular to the general line of the coast, on the same bearing as the maritime lateral boundary (specified below), with the Atlantic Ocean. The maritime lateral boundary between the two countries shall be defined by the rhumb line which, starting from the above-established point, shall run on a bearing of 128 sexagesimal degrees (counting from true north) to the outside limit of the territorial sea of both countries. The extension of that rhumb line running inland passes by the Chuy light. Both of the Commission Heads also state that the principal marker No. 1 (reference marker), erected by the Joint Boundary Commission in 1853 near the left bank of Chuy Stream and on firm ground for better protection from the water, will be maintained in its original position, and that at the opportune time the necessary works to ensure that Chuy Stream will have its normal outlet at the above-established point will be undertaken.

B. ANALYSIS

The Brazil-Uruguay maritime boundary, plotted on the [DMA/HC 24000 chart attached to LIS No. 73] consists of a single rhumb line. Commencing at the mouth of the Chuy stream, the boundary extends seaward at a 128° azimuth (from true north) to the outer limit of the two states' territorial seas. Each country claims a 200-nm territorial sea.

The boundary extends approximately 204 nm from the Chuy stream; Pt. Palmar (Uruguay) and a Brazilian mainland point northeast of Chuy stream are the basepoints approximately 200 nm from the terminal boundary point.